

**DOCKET NO.:** FMC-1213  
**Application No.:** 09/763,682  
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**PATENT**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (canceled)
2. (canceled)
3. (canceled)
4. (canceled)
5. (canceled)
6. (canceled)
7. (canceled)
8. (canceled)
9. (canceled)
10. (canceled)
11. (canceled)

12. (currently amended) A composition comprising a producer cell that expresses a molecule that is an inhibitor of the growth of a malignant CNS tumor, the cell being encapsulated in a matrix that comprises an immunoisolating alginate having a G content of above 15%, wherein the molecule is endostatin, angiostatin, thrombospondin, or prolactin.

13. (canceled)

14. (previously added) The composition according to claim 12, wherein the alginate has a G content of above 50%.

15. (previously added) The composition according to claim 12, wherein the alginate has a G content of 60%-80%.

16. (previously added) The composition according to claim 12, wherein the alginate has a G content of 80%-100%.

17. (previously amended) The composition according to claim 12, wherein the cell's expression of endostatin, angiostatin, thrombospondin, or prolactin is switched on and off by an external pharmacological agent.

18. (previously added) The composition according to claim 12, wherein the producer cell is encapsulated in a bead or microbead.

19. (previously amended) A composition comprising a producer cell that expresses a molecule that is an inhibitor of the growth of a CNS tumor, the cell being encapsulated in a matrix that comprises an immunoisolating alginate having a G content of above 15%, wherein the molecule is endostatin, angiostatin, thrombospondin, or prolactin and the CNS tumor is a brain tumor.

20. (previously added) The composition according to claim 12, wherein the alginate is substantially free of endotoxin.

21. (previously amended) A composition comprising a producer cell that expresses a molecule that is an inhibitor of the growth of a CNS tumor, the cell being encapsulated in a matrix that comprises an immunoisolating alginate having a G content of above 15%, wherein the molecule is endostatin, angiostatin, thrombospondin, or prolactin and the producer cell is encapsulated in a bead or microbead and the alginate concentration within the bead or microbead increases from the center of the bead or the microbead to the outer rim.

22. (canceled)

23. (canceled)

24. (currently amended) A method of producing the composition according to claim 12, comprising ~~the step of encapsulating a producer cell in a one-step procedure~~ introducing a mixture of the producer cells and the alginate into a solution containing multivalent cations.
25. (previously added) A method of producing the composition according to claim 12, comprising the step of adding, in a drop-wise manner, an alginate solution containing at least one viable cell to a calcium-containing solution.
26. (previously added) A pharmaceutical composition comprising (a) the composition according to claim 12 and (b) a pharmaceutically acceptable carrier or diluent.
27. (currently amended) A method of treating a mammalian patient afflicted with a CNS tumor comprising the step of directly administering to the ~~patient~~ CNS tumor or the site of tumor resection an effective amount of the pharmaceutical composition according to claim 26 effective to inhibit growth or regrowth of said tumor.
28. (previously added) The method of treatment according to claim 27, wherein the CNS tumor is a brain tumor.
29. (canceled)

30. (previously added) The method according to claim 27 wherein the wherein the producer cell is encapsulated in a bead or microbead and the alginate concentration within the bead or microbead increases from the center of the bead or the microbead to the outer rim.

31. (canceled)

32. (previously amended) The composition according to claim 12 wherein the producer cell comprises a plasmid that includes a nucleic acid sequence that encodes endostatin, angiostatin, thrombospondin, or prolactin.